## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

FLASHPOINT TECHNOLOGY, INC.,	§	
Plaintiff,	§ §	
,	§	
v.	§	C.A. No. 08-139-GMS
	§	
AIPTEK, INC., ARGUS CAMERA CO., LLC,	§	JURY TRIAL DEMANDED
BUSHNELL INC., DXG TECHNOLOGY (U.S.A.)	§	
INC., DXG TECHNOLOGY CORP., GENERAL	§	
ELECTRIC CO., LEICA CAMERA AG, LEICA	§	
CAMERA INC., MINOX GMBH, MINOX USA, INC.,	§	
MUSTEK, INC. USA, MUSTEK, INC., OREGON	§	
SCIENTIFIC, INC., POLAROID CORP., RITZ	§	
INTERACTIVE, INC., RITZ CAMERA CENTERS,	§	
INC., SAKAR INTERNATIONAL, INC., D/B/A	§	
DIGITAL CONCEPTS, TABATA U.S.A., INC., D/B/A	§	
SEA & SEA, TARGET CORP., VISTAQUEST CORP.,	§	
VUPOINT SOLUTIONS, INC., WALGREEN CO., and	§	
WAL-MART STORES, INC.,	§	
	§	
Defendants	§	

#### **MOTION TO EXTEND**

Plaintiff FlashPoint Technology, Inc. respectfully requests that the Court grant this motion to extend the time by which defendant VistaQuest Corp. ("VistaQuest") shall answer, move, or otherwise respond to plaintiff's complaint to and including June 20, 2008. FlashPoint is bringing this motion in order to allow VistaQuest's newly retained counsel time to gather information, and to allow the parties to engage in discussions concerning the allegations of the complaint.

Patrick J. Coughlin Michael J. Dowd Ray Arun Mandlekar James R. Hail Nathan R. Lindell COUGHLIN STOIA GELLER **RUDMAN & ROBBINS LLP** 655 West Broadway, Suite 1900 San Diego, CA 92101 (619) 231-1058

John F. Ward John W. Olivo, Jr. David M. Hill Michael J. Zinna WARD & OLIVO 380 Madison Avenue New York, NY 10017 (212) 697-6262

Dated: May 29, 2008

#### /s/ Evan O. Williford

David J. Margules (I.D. No. 2254) Evan O. Williford (I.D. No. 4162) BOUCHARD MARGULES & FRIEDLANDER, P.A. 222 Delaware Avenue, Suite 1400 Wilmington, DE 19801 Telephone: (302) 573-3500 dmargules@bmf-law.com

ewilliford@bmf-law.com Attorneys for plaintiff Flashpoint Technology, Inc.

#### **CERTIFICATE OF SERVICE**

I, Evan O. Williford, hereby certify that on May 29, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Motion to Extend** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following local counsel for defendants:

Richard K. Herrmann, Esquire Morris James LLP 500 Delaware Avenue, Suite 1500 Wilmington, DE 19801 Attorneys for Defendants Bushnell, Inc., and Tabata U.S.A., Inc. d/b/a Sea & Sea and Richard D. Kirk, Esquire
The Bayard Firm
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
Attorneys for Defendant Sakar
International Inc. d/b/a Digital Concepts

Steven J. Balick, Esquire Ashby & Geddes 500 Delaware Avenue Wilmington, DE 19899 Attorneys for Defendant General Electric Company Frederick L. Cottrell, III, Esquire Anne Shea Gaza, Esquire Richards Layton & Finger One Rodney Square Wilmington, DE 19801 Attorneys for Defendants Leica Camera AG and Leica Camera, Inc. and Mustek, Inc. USA

Richard L. Horwitz, Esquire
David E. Moore, Esquire
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street
Wilmington, DE 19801
Attorneys for Defendants Wal-Mart Stores,
and Target Corp and Walgreen Co.

Candice Toll Aaron, Esquire Saul Ewing LLP 222 Delaware Avenue, Suite 1200 Wilmington, DE 19801 Attorneys for Defendants Ritz Camera Centers, Inc. and Ritz Interactive, Inc.

Daniel V. Folt, Esquire Matthew Neiderman, Esquire Aimee M. Czachorowski, Esquire Duane Morris 1100 North Market Street, Suite 1200 Wilmington, DE 19801 Attorneys for Defendant Aiptek, Inc. Collins J. Seitz, Jr., Esquire Kevin F. Brady, Esquire Connolly Bove Lodge & Hutz LLP 1007 N. Orange Street Wilmington, DE 19801 Attorneys for Defendants Polaroid Corporation

Paul E. Crawford, Esquire Kevin F. Brady, Esquire Connolly Bove Lodge & Hutz LLP 1007 N. Orange Street Wilmington, DE 19801 Attorneys for Defendant Oregon Scientific, Inc.

Francis DiGiovanni, Esquire Chad S.C. Stover, Esquire Connolly Bove Lodge & Hutz LLP 1007 N. Orange Street Wilmington, DE 19801 302-658-9141 Attorneys for Defendants DXG Technology [U.S.A.] Inc. and DXG Technology Corp.

Richard D. Kirk, Esquire **Bayard** 222 Delaware Avenue, Suite 900 Wilmington, DE 19801 Attorneys for Defendant Sakar International Inc. d/b/a Digital Concepts and VuPoint Solutions. Inc.

I further certify that on May 29, 2008, I caused a copy of the foregoing document

to be served on the following defendants by First Class Mail:

Argus Camera Company LLC 1610 Colonial Parkway Inverness, IL 60067

VistaQuest Corporation 6303 Owensmouth Avenue 10<sup>th</sup> Floor Woodland Hills, CA 91367

Minox USA Inc. 438 Willow Brook Road Plainfield, NH 03781

/s/ Evan O. Williford

David J. Margules (I.D. No. 2254) Evan O. Williford (I.D. No. 4162) BOUCHARD MARGULES & FRIEDLANDER, P.A. 222 Delaware Avenue, Suite 1400 Wilmington, DE 19801 Telephone: (302) 573-3500 dmargules@bmf-law.com ewilliford@bmf-law.com Attorneys for plaintiff Flashpoint Technology, Inc.

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

FLASHPOINT TECHNOLOGY, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	C.A. No. 08-139-GMS
	§	
AIPTEK, INC., ARGUS CAMERA CO., LLC,	§	JURY TRIAL DEMANDED
BUSHNELL INC., DXG TECHNOLOGY (U.S.A.)	§	
INC., DXG TECHNOLOGY CORP., GENERAL	§	
ELECTRIC CO., LEICA CAMERA AG, LEICA	§	
CAMERA INC., MINOX GMBH, MINOX USA, INC.,	§	
MUSTEK, INC. USA, MUSTEK, INC., OREGON	§	
SCIENTIFIC, INC., POLAROID CORP., RITZ	§	
INTERACTIVE, INC., RITZ CAMERA CENTERS,	§	
INC., SAKAR INTERNATIONAL, INC., D/B/A	§	
DIGITAL CONCEPTS, TABATA U.S.A., INC., D/B/A	§	
SEA & SEA, TARGET CORP., VISTAQUEST CORP.,	§	
VUPOINT SOLUTIONS, INC., WALGREEN CO., and	§	
WAL-MART STORES, INC.,	§	
	§	
Defendants	§	

### **PROPOSED ORDER**

IT IS HEREBY ORDERED that the time for	defendant VistaQuest Corp. to	
answer, move, or otherwise respond to the complaint is extended to and including June		
20, 2008.		
Date:	Chief Judge Gregory M. Sleet	